



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 10  
1200 Sixth Avenue, Suite 900  
Seattle, Washington 98101-3140

MAR 1 2017

OFFICE OF  
COMPLIANCE AND ENFORCEMENT

Reply To: OCE-101

**CERTIFIED MAIL -- RETURN RECEIPT REQUESTED**

**EPA WARNING LETTER**

Ms. Amy Smith  
Safety Manager, City of Spokane  
Regional Waste-to-Energy Facility  
2900 South Geiger Boulevard  
Spokane, Washington 99224

Re: Risk Management Program Compliance Inspection  
City of Spokane  
Regional Waste-to-Energy Facility  
EPA Facility ID# 1000 0009 1615

Dear Ms. Smith:

On July 15, 2016, the U.S. Environmental Protection Agency (EPA) conducted an inspection of the Spokane Regional Waste-to-Energy (WTE) Facility, located at 2900 South Geiger Boulevard, Spokane, Washington. The purpose of the inspection was to evaluate compliance with Section 112(r) of the Clean Air Act also known as the Risk Management Program (RMP). The RMP inspection was conducted pursuant to the authorities under Section 112(r) and Section 114 of the Clean Air Act. The EPA understands that the City of Spokane took over operations in November 2014 from their contractor, Wheelabrator. Listed below are the areas of concern identified by EPA:

1. **Mechanical Integrity:** Spokane Regional WTE failed to follow recognized and generally accepted good engineering practices as required by 40 C.F.R. § 68.73(d)(2). Spokane Regional WTE periodic and routine task documentation (2015 to present) does not identify the recognized and generally accepted good engineering practices being followed for the process equipment of the anhydrous ammonia storage process such as CGA-2.1-2014, 6th Ed., Requirements for the Storage and Handling of Anhydrous Ammonia, etc.
2. **Mechanical Integrity:** Spokane Regional WTE failed to document the frequency of inspections and tests of process equipment to be consistent with applicable manufacturers' recommendations, good engineering practices and prior operating experience as required by 40 C.F.R. § 68.73(d)(3). Spokane Regional WTE periodic and routine task documentation (2015 to present) does not identify the frequency of inspections and tests being followed for the process equipment of the anhydrous ammonia storage process such as pressure relief valves, etc. Reference CGA-2.1-2014, 6th Ed., Requirements for the Storage and Handling of Anhydrous Ammonia, Pressure relief devices, Section 5.8.16.

3. **Risk Management Plan:** Spokane Regional WTE failed to review or update the RMP and submit it to EPA, as required under 40 C.F.R. § 68.190(a), based on the requirements of the five-year update, as required under 40 C.F.R. § 68.190(b)(1). At the time of the inspection, Spokane Regional WTE's RMP dated June 22, 2011, was past due from the due date of June 22, 2016. On July 18, 2016, Spokane Regional WTE submitted their five year RMP update.
4. **Risk Management Plan:** Spokane Regional WTE failed to submit corrected information within 30 days of the change of the emergency contact information required at 68.160(b)(6), as required by 40 C.F.R. § 68.195(b). At the time of the inspection, Spokane Regional WTE's RMP dated June 22, 2011, identified the emergency contact, Gina Dempsey, EH&S Manager, Wheelabrator Spokane, who was no longer at the facility. Spokane Regional WTE corrected the emergency contact information on July 18, 2016, exceeding the 30-day requirement for the change in the emergency contact.

Please provide the documentation to substantiate that the areas of concern listed above have been corrected. A copy of the documents must be sent to Javier Morales, RMP Coordinator, within 14 days of your receipt of this letter. The documents may be sent via e-mail, fax or mail.

Javier Morales, RMP Coordinator  
U.S. EPA Region 10  
1200 Sixth Avenue, Suite 900, OCE-101  
Seattle, Washington 98101  
Fax: (206) 553-4743

Please refer to the document *General Risk Management Program Guidance* for additional information pertaining to the areas of concern addressed above. This guidance document can be found on the EPA's website at <http://www.epa.gov/rmp/guidance-facilities-risk-management-programs-rmp>

We urge you to take the steps necessary to address these concerns and to ensure that all aspects of your operation are conducted in accordance with all applicable federal, state and local requirements. If in the future additional violations are identified and/or corrections to the identified concerns are not made, EPA may proceed with enforcement action. If you have any questions about the inspection or the Risk Management Program, please contact Javier Morales, RMP Coordinator, at (206) 553-1255 or [morales.javier@epa.gov](mailto:morales.javier@epa.gov).

Sincerely,



Kelly McFadden, Manager  
Pesticides and Toxics Unit